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Ser. No.: 09/308,005  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Inventor** : **Nicholas Luke BENNETT**  
**Title** : **GAMING MACHINE**  
**Serial No.** : **09/308,005**  
**Filed** : **May 10, 1999**  
**Examiner** : **Minh Trinh**  
**Group Art Unit** : **3729**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, pursuant to 37 CFR 1.10 on the date shown below as

Express Mail Receipt No. EV 335283028 US

Name: G. Valencia Ward-Armstrong

Signature:

Date: July 28, 2003

July 28, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Petition Under 37 CFR 1.37(b) to Revive Unintentionally Abandoned Application**

To the Commissioner for Patents:

The above-referenced application became abandoned on April 23, 2001 for failure to respond to an Office action. Applicant hereby requests that the current application be revived solely for the purposes of entry of the enclosed Request for Continued Examination (RCE).

On June 5, 2000, a final Office Action was issued for the above-referenced application. On January 2, 2001, Applicant's filed a Continued Prosecution Application (CPA) as a continuation of the current application by U.S. Express Mail (Receipt No. EL081155464US). The CPA was filed together with an amendment and a petition for a one-month extension of

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time.<sup>1</sup> A copy of the CPA, amendment, and Petition for Extension of Time as filed on January 2, 2001 is enclosed herewith. Also enclosed herewith is a copy of the delivery information for Express Mail Receipt No. EL081155464US, evidencing receipt of the same by the USPTO on January 4, 2001.

Shahan Islam, Reg. No. 32,507, who was the attorney responsible for this application, recently left his employment at the firm of Katten Muchin Zavis Rosenman. In reviewing the files formerly under Mr. Islam's care and in particular the above-referenced application, Applicant's current attorneys found no correspondence from the USPTO regarding the CPA filed on January 2, 2001. Applicant's current attorneys note that the CPA filed on January 2, 2001 was not timely filed.

In a call to the USPTO on May 29, 2003 to ascertain the status of the current application, Applicant's attorneys found that the current application was abandoned on April 23, 2001 and there was no record in the USPTO of the CPA filed on January 2, 2001. Applicant's attorneys do not appear to have received the Notice of Abandonment for the current application.

Applicant hereby submits that the entire delay in filing the required reply from the due date for the reply and the mailing of the Notice of Abandonment and until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional.

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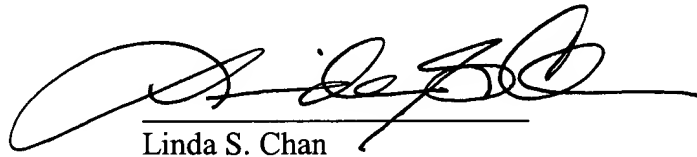
<sup>1</sup> It is noted that the CPA Request Transmittal did not appear to note the correct serial number or title for the current application. The first named inventor and the attorney docket number of the prior application were correctly identified on CPA Request Transmittal. The serial number of the current application was correctly identified on the Petition for Extension of Time and on the Amendment, where the application serial number was indicated as "CPA of 09/308,005."

The Commissioner is hereby authorized to charge the fee required by 37 C.F.R. § 1.137(b)(2) and as set forth in 37 C.F.R. § 1.17(m) to Deposit Account No. 50-1290. It is believed that no other fees are due with this petition or with the enclosed response. However, if any other fees are a due with this petition or the enclosed response, the Commissioner is hereby authorized to charge such fee(s) to Deposit Account No. 50-1290.

Please note, Applicant is also enclosing herewith a request for change in correspondence address and an appointment of sub-power of attorney.

Please direct any inquiries regarding this petition to Applicant's undersigned attorney, who may be reached directly by telephone at (212)940-8712.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Linda S. Chan', written over a horizontal line.

Linda S. Chan  
Reg. No. 42,400

Attorney Docket No.: **2703/FBR (031035 - 00060)**

Katten Muchin Zavis Rosenman  
575 Madison Avenue  
New York, NY 10022-2585  
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